

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ROGERS GROUP, INC.)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2002-00394
)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

O R D E R

On April 8, 2003, The Rogers Group, Inc. ("Rogers Group") and Louisville Gas and Electric Company ("LG&E") met with Commission Staff for an informal conference at the Commission's offices. Upon conclusion of the conference, Rogers Group and LG&E agreed to attempt to reach a settlement on the complaint. On October 1, 2003, LG&E informed Commission Staff that it had forwarded a copy of the settlement agreement to Rogers Group for its approval.

As of the date of this Order, the Commission has received neither a copy of the settlement agreement nor an explanation for the delay. The Commission has allowed ample time for settlement negotiations and finds further time should not be allowed without good cause shown.

IT IS THEREFORE ORDERED that:

1. Within 30 days of the date of this Order, Rogers Group shall file with the Commission an executed settlement agreement between LG&E and Rogers Group or,

in the alternative, if it cannot provide an executed settlement agreement within the allotted time, it may, within 30 days of the date of this Order, petition the Commission for additional time in which to file the settlement agreement.

2. If the Commission receives neither the settlement agreement nor the petition for extension of time within 30 days after the date of this Order, this case shall be submitted to the Commission for a decision upon the existing record.

Done at Frankfort, Kentucky, this 8th day of December, 2003.

By the Commission

ATTEST:


Executive Director